

T003-18.1
(cont'd)

1 Council, an ad hoc association of 32 CHP plants, producing
2 other 2,000 megawatts of power for California consumers.

3 CHP is the most efficient use of natural gas, as
4 the technology provides both heat and electricity from
5 natural gas. The EPA endorses CHP because of the increase
6 in energy efficiency, and the decrease of greenhouse gases
7 produced when using this technology.

8 I have several reasons for supporting LNG imports
9 into California, primarily to drive natural prices of -- to
10 drive the price of natural gas down.

11 The gas reserves in the lower 48 states and Canada
12 are dwindling. The gas is getting harder to find. We are
13 finally getting smaller pockets and it is more expensive to
14 drill in those pockets. We cannot force prices down without
15 adding a new source of supply.

16 The last time we shifted the supply curve in
17 California was in 1992, when the Kern River Pipeline became
18 operational. The addition of the Kern River gas provided
19 real price relief for California consumers.

20 The addition of an LNG terminal in California will
21 produce much the same effect, prices will drop due to the
22 addition of the new supplier, especially one that can
23 produce -- provide approximately 15 percent of California's
24 gas needs.

25 Ventura County is a logical place for an LNG

1 terminal. Two cornerstones of our heritage are agricultural
2 and oil production. Agriculture's a way of life we'd like
3 to preserve in Ventura County. We'd like to see greenbelts
4 continue to exist around our cities to prevent urban sprawl.

5 In other to have these farms between our cities
6 remain viable, in addition to our climate, the farms need
7 fertilizer. The primary component of fertilizer is ammonia,
8 which is produced from natural gas. So again, more natural
9 gas will help keep our greenbelts more viable.

10 Finally, the gas system in Southern California is
11 stressed to its capacity. As recently as last week, SDG&E
12 had to bring in natural gas supplies, on an emergency basis,
13 from Mexico. The cause was cold weather, and two units at
14 San Onofre were down. These alternate fueled sources of
15 generation were down, and we had to fire oil and natural gas
16 fired generation to make up for that generation.

17 Had we had LNG, we could have just backfed the
18 system from this end and not had a constraint port and
19 relied on Mexico.

20 We need to rationally analyze these risks and
21 benefits these projects provide, and I urge you to support
22 LNG proposals because of its positive impacts on gas prices,
23 improving the economy in the county, and the State of
24 California.

25 Thank you.

T003-18.1
(cont'd)

T003-18.2

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T003-18.2

1 MODERATOR MICHAELSON: Thank you.

2 The next speaker is Dr. Craig Shuman.

3 DR. SHUMAN: Good afternoon. I'm Dr. Craig
4 Shuman, I'm a Staff Scientist for Heal The Bay. Thank you
5 for the opportunity to comment on the Cabrillo Port draft
6 EIR/EIS.

7 Heal The Bay has deep concerns about that the
8 project may have significant impacts on marine and
9 terrestrial biotic resources that were not disclosed in the
10 EIR. Most notably, the draft EIR/EIS lacks specificity to
11 enable the identification of potential impacts.

12 The final pipeline route has yet to be selected.
13 Therefore, it is impossible to disclose impacts, let alone
14 avoid its measures and mitigation, as required by CEQA.

15 I'll briefly touch on some of our concerns and we
16 will submit written comments by the deadline.

17 Marine biological resources. There have been no
18 detailed, site-specific studies identifying what benthic
19 infauna may exist on the pipeline route and which will be
20 destroyed by the laying of this pipeline.

21 Entrainment losses will be minimized by the
22 regasification process that uses a closed circuit. However,
23 the exchange of ballast water, identified as 55,000 metric
24 tons, or approximately 14.5 million gallons per day of
25 water, in which the draft EIR/EIS states that "100 percent

COMMENTER
T003-19

T003-19.1

T003-19.2

T003-19.3

T003-19.4

T003-19.1

Sections 4.7 and 4.8 contain additional and revised information on impacts on marine and terrestrial biological resources.

T003-19.2

Terrestrial biological resources were evaluated in Section 4.8 within a pipeline corridor that would include both the construction and permanent rights-of-way. Even though the precise alignment of the pipeline within the corridor would not be determined until final engineering design, the impacts of any potential pipeline alignments within the corridor have been evaluated. Section 4.7 addresses impacts of the offshore pipelines on marine biology.

T003-19.3

Section 4.7.1.1 discusses benthic communities. The agencies determined that site-specific benthic infauna surveys were not necessary because the video taken during geophysical surveys conducted of the sea floor along the pipeline route revealed that only soft bottom was present. Impact BioMar-1 in Section 4.7.4 discusses impacts on soft bottom benthic communities.

T003-19.4

The Project has been modified since issuance of the October 2004 Draft EIS/EIR. Appendix H1, Section 4.7.1.3, and "Ichthyoplankton Impingement and Entrainment" under Impact BioMar-3 in Section 4.7.4 discuss this topic.

1 mortality of ichthyoplankton can be assumed."

2 This impact is simply dismissed as nonsignificant.
3 However, without a detailed assessment of larval abundance
4 in the immediate area, these impacts remain largely unknown.

5 Moving to terrestrial biological resources. The
6 draft EIR/EIS states "there will be possible impacts to
7 wetlands, and these will be decided in the 404 process, as
8 administered by the U.S. Army Corp of Engineers, under
9 Section 404 of the Clean Water Act."

10 These impacts must be identified now, and
11 disclosed in the Environmental Impact Report.

12 Southern California has lost 95 percent of our
13 coastal wetlands and we cannot afford to lose any more or
14 have impacts to any more of our wetlands. This has been
15 supported by recent decisions of the California Coastal
16 Commission and of the local courts.

17 The draft EIR/EIS states that "if there are to be
18 impacts to coastal salt marsh habitats, that a mitigation
19 ratio of 3 to 1 would be used."

20 Where did this number come from? Typically, 4 to
21 1 is used for Southern California salt marshes, if impacts
22 are allowed.

23 The section goes on to state that, "a
24 comprehensive" -- I quote, "a comprehensive botanical survey
25 has not been conducted. Therefore, it is not known whether

T003-19.4
(cont'd)

T003-19.5

T003-19.5

The Applicant has completed a wetland delineation (using Army Corps of Engineers definitions and California Coastal Commission and California Department of Fish and Game wetland definitions where appropriate) identifying wetlands and waters of the United States along the Project pipeline routes and at the proposed metering stations. Section 4.8.4 addresses potential impacts on wetlands. Mitigation measures presented in Section 4.8.4 have been developed to avoid, minimize, or reduce impacts on wetlands and waters of the United States during construction activities. Tables 4.18-5 and 4.18-6 also provide descriptions of the waterbodies, most of which are concrete flood control channels or agricultural drains, along the proposed pipelines and alternatives.

T003-19.6

MM TerrBio-2f in Section 4.7.4 specifies replacement ratios for riparian restoration based on consultation with resource agencies. Replacement ratios would be subject to specific permit conditions.

T003-19.7

Subsequent to the completion of the October 2004 Draft EIS/EIR, the Applicant completed botanical surveys for Federal and State listed species. Section 4.8 contains information on the results of these surveys.

T003-19.6

T003-19.7

1 the rare or special status plants along the proposed
2 pipeline routes are present."

3 If we don't know what plants or animals occur in
4 the pipeline route, how can we determine what the impacts
5 will be. Therefore, the EIR is wholly inadequate.

6 The purpose of the EIR is to publicly disclose
7 impacts, as required by CEQA, and this EIR fails to do so.

8 Thank you.

9 MODERATOR MICHAELSON: The next speaker is Robert
10 Berman.

11 MR. BERMAN: My name is Robert Berman, I'm a
12 resident of Oxnard. Thank you for the opportunity of
13 addressing you.

14 Our past experience and our current experience
15 with our unfortunate dependence on foreign oil should tell
16 us to never again create a dependency on foreign sources of
17 energy.

18 This is precisely what we will be doing by
19 creating yet another dangerous dependency on foreign natural
20 gas. Even though Australia is our good friend and will be a
21 supplier, Indonesia is not our good friend and will also be
22 a supplier of natural gas. Indonesian radicals are
23 believers that feel that anyone who is a nonbeliever should
24 be removed from the face of this earth. Residents of the
25 United States of America are generally nonbelievers.

T003-19.7
(cont'd)

T003-19.8

A Revised Draft EIR was recirculated under the CEQA in March 2006 for an additional public review period of 60 days. Sections 1.4 and 1.5.3.2 contain additional information on this topic. The distribution list for the document is provided in Appendix A.

T003-19.8

T003-20.1

Section 1.2 discusses dependence on foreign energy sources.

COMMENTER
T003-20

T003-20.1

1 The long lines of supply that we will form with
2 these large tankers can be easily interdicted by radicals.
3 Ships at sea are easy targets.

4 BHP Billiton will suffer billions of dollars of
5 losses if this were to occur, and we see it occurring all
6 over the world, now. It's not a conjecture.

7 It would be wiser and vastly more profitable for
8 BHP to help to develop alternative energy, that does not
9 jeopardize the welfare of the United States, and at the same
10 time produces large amounts of money for the company.

11 Thank you very much.

12 (Applause.)

13 MODERATOR MICHAELSON: I should let you know that
14 our scheduled ending time is 2:30. I have probably ten more
15 speakers that will carry us beyond that, so we'll extend the
16 length of this public meeting to accommodate those who have
17 already signed up.

18 The next speakers are John Haynes, Donna Nowland,
19 Terrence, it looks like Janisch, Thomas Thompson, and Bruce
20 Berwager.

21 John.

22 MR. HAYNES: My name is John Haynes, I'm a
23 resident here, in Oxnard.

24 This is dealing with Section 4.2 of the risk
25 assessment process, where it claims, Table 4.2-1, Item 1

T003-20.2

T003-20.2

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T003-20.3

Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

T003-20.3

T003-21.1

The Independent Risk Assessment (IRA) has been updated since issuance of the October 2004 Draft EIS/EIR. The lead agencies directed preparation of the current IRA, and the U.S. Department of Energy's Sandia National Laboratories independently reviewed it, as discussed in Section 4.2 and Appendix C.

Section 4.2.7.6 and the IRA (Appendix C1) discuss the models and assumptions used and the verification process. Sandia National Laboratories (Appendix C2) concluded that the models used were appropriate and produced valid results.

COMMENTS
T003-21

T003-21.1

1 states, "modeling results indicate that serious injuries
2 could occur at a distance of about 1.4 nautical miles, 1.6
3 statute miles away from the FSRU. The distance is greater
4 than the 1,640-foot safety zone radius, but less than the
5 applicant's proposed 2 nautical miles, or 2.3 miles radius
6 of a designated area."

7 My comment is as follows. The entire issue
8 regarding risk assessment is depending on modeling. The
9 input, assumptions used, the nature of the model and how it
10 calculates all -- and how it does its calculations, et
11 cetera, all of which have significant impact on the results
12 of the outcome. All of these issues raise questions
13 regarding the validity of the model and the outcome. The
14 results of the modeling should be validated by an
15 independent, third party, other than the one who did the
16 EIS/EIR study, other than the applicant and sponsors of the
17 EIR/EIS report.

18 This request for third-party validation is in
19 reference to the analysis that was done in 1977, and 1978,
20 at which time Oxnard was faced with a similar situation,
21 reference California Coastal Commission Final Report
22 evaluating and ranking LNG terminal sites, May 24th, 1978,
23 and the City of Oxnard Environmental Impact Report, E75-2,
24 for proposed Oxnard LNG facilities, Social Economic Systems,
25 Incorporated.

T003-21.1
(cont'd)

T003-21.2

Section 4.2.3, the Independent Risk Assessment (Appendix C1),
and the U.S. Department of Energy's Sandia National Laboratories'
review of the Independent Risk Assessment (Appendix C2) contain
revised information on the 1977 Oxnard study.

T003-21.2

1 The results of that analysis were that a fire
2 plume could extend up to 30 miles, which is in direct
3 contrast with the results contained in the EIR/EIS report.

T003-21.2
(cont'd)

4 Second, the assumptions used should be compared to
5 the study performed by -- the analysis contained in the
6 FERC, under contract FERC 04C 40196, entitled "Consequent
7 Assumption Assessment Methods for Incidences Involving
8 Release from Liquefied Natural Gas Carriers."

T003-21.3

9 The results of the two aforementioned reports seem
10 to contradict the results contained in the EIR/EIS report
11 reference in the federal document number above.

T003-21.4

12 The entire risk assessment conclusions will be
13 suspect until an independent third party validates the
14 results contained in the EIR/EIS.

15 My other comment is dealing with Section 4.16.1.7,
16 Property Values, where it states, "the property owners would
17 not have to disclose the presence of the project as part of
18 a real estate transaction."

T003-21.5

19 This is not true today. There is a major real
20 estate firm, here in Oxnard, where the manager who has --
21 oversees three offices, is telling their people they do have
22 to disclose this transaction as part of any real estate
23 transaction, which is in contradiction to what is contained
24 in this report, and I think that is also very important.
25 That if they feel they have to do that, then you all need to

T003-21.3

The Project is regulated by the USCG and MARAD under the authority of the Deepwater Port Act. FERC's regulations are prescriptive and standardized to address the general siting of onshore LNG terminals. In contrast, due to various different designs of deepwater ports, the USCG conducts site-specific independent risk and consequence analyses using the most recent guidance and modeling techniques. The guidance used for Cabrillo Port is Sandia National Laboratories' "Guidance on Risk Analysis and Safety Implications of a Large Liquefied Natural Gas (LNG) Spill Over Water." This report recommends a framework for analyses of large LNG spills onto water. It was prepared for the U.S. Department of Energy (DOE), and an external peer review panel evaluated the analyses, conclusions, and recommendations presented.

T003-21.4

The Independent Risk Assessment (IRA) has been updated since issuance of the October 2004 Draft EIS/EIR. The lead agencies directed preparation of the current IRA, and the U.S. Department of Energy's Sandia National Laboratories independently reviewed it, as discussed in Section 4.2 and Appendix C.

Section 4.2.7.6 and the IRA (Appendix C1) discuss the models and assumptions used and the verification process. Sandia National Laboratories (Appendix C2) concluded that the models used were appropriate and produced valid results.

T003-21.5

Section 4.16.1.2 contains updated information on property values.

1 validate that and get, from the National Association of
2 Realtors, and the Ventura County of Realtors, that they
3 don't have to disclose that and get that in writing. Right
4 now that is not the policy.

5 (Applause.)

6 MODERATOR MICHAELSON: The next speaker is
7 Donna Nowland.

8 MS. NOWLAND: Good afternoon. My name is Donna
9 Nowland and I'm not representing anyone but myself, I'm a
10 housewife from Ojai.

11 Energy is really important to me, and it's
12 disturbing from a number of years because it seems, for the
13 most part, the State of California, as well as the United
14 States, is a little neurotic about all of this.

15 It seems to me that BHP Billiton has put together
16 a good proposal, a good project. I'm so happy to see an
17 energy project come forward. I've heard people mention
18 there are other projects around the State. I don't know
19 about those, but I do know about this.

20 I believe that the Corporation has a good record.
21 I think that all of the agencies are doing their job -- jobs
22 to overview, look at this, look at the science of this
23 project. I have complete confidence that everything will be
24 okay.

25 One of the things that I'm concerned about is that

T003-21.5
(cont'd)

T003-22.1

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTER
T003-22

T003-22.1

T003-22.1 (cont'd)

1 the public gets concerned about and lost in anecdotal
2 stories about things that might have happened, and I'm
3 hoping that we will base this project, and looking at it in
4 terms of what is real.

5 So much of public opinion, I think, is driven by
6 Hollywood, in Steven Seagal films. He does not like the
7 energy industry, specifically hydrocarbons. Unfortunately,
8 LNG is part of the hydrocarbon chain.

9 Anyway, I'm rambling, but basically I want to say
10 I need the energy, everybody here, in California, needs
11 energy, everyone in the country needs energy. But slowly
12 by -- you know, slowly we just have dismissed the supply and
13 demand thing. We're not supplying enough. There is not
14 enough supply to meet the demand.

15 People talk about conservation. People can only
16 conserve so much or they choose to only conserve so much.
17 I'm part of a Clean Air Committee, and here with Ventura
18 County APCD. We fund projects that are outside the realm of
19 the Air District rules. Many of those have been CNG fuel --
20 fueled vehicles, like buses and cars.

21 But unless we have the natural gas to put in these
22 alternative vehicles, they do no good. So I think that was
23 a big "blah" of comments, but I'm an upset housewife because
24 I need energy, and I don't need to worry about rolling
25 blackouts, and neither do other people.

1 So that's what I have to say. I think the EIR is
2 probably very adequate. I haven't read it, however, I trust
3 that many people have. And I've gotten a copy of it, so
4 I'll probably sit down with it tonight, with a nice cup of
5 coffee.

T003-22.1
(cont'd)

T003-23.1
Thank you for the information.

6 MODERATOR MICHAELSON: Thank you.

7 Our next speaker is Terrence Janisch.

8 MR. JANISCH: Thank you. I'm Terry Janisch, and I
9 work for Laser Broadcasting Company, but I'm here, really,
10 as a private and concerned citizen. And I thank you for
11 giving me the opportunity to speak.

COMMENTER
T003-23

12 I've lived and worked in Oxnard for more than 13
13 years, and I'm very proud to call it my home. Over the
14 years I've seen a lot of growth here, in Oxnard, and in
15 Ventura County. It's been good growth. More homes for
16 working families, economic development to bring more
17 investment into our city, an increase in tourism, that will
18 bring more dollars to our local community.

T003-23.1

19 Even more, Ventura County's population is expected
20 to increase more than 30 percent by 2030. That's 30
21 percent. That's a lot of people. That's a sizeable town in
22 the Midwest.

23 With all these changes and growth, one has to
24 wonder, will we have enough natural gas to meet our current
25 needs, let alone our future needs? Absolutely, we can, with

1 liquified natural gas and through Cabrillo Port.

2 I support Cabrillo Port. We really need to
3 consider the facts, and nothing but the facts, when we
4 consider Cabrillo Port. I believe our community will be
5 safe, as I have full confidence that the experts from the
6 United States Coast Guard, United States Maritime
7 Administration, and California State Lands Commission put
8 public safety first when they released the Environmental
9 Impact Report.

10 So it is important for all of us not to let a few
11 individuals talk for the rest of us, with their
12 misinformation, but rather read the report for ourselves and
13 come to our own conclusion.

14 As for me, I support Cabrillo Port and hope that
15 you will grant the necessary approvals to build it.

16 Thank you very much, appreciate it.

17 MODERATOR MICHAELSON: Okay, thank you. Do you
18 have something you want to turn in?

19 Okay, Thomas Thompson.

20 MR. THOMPSON: Hi, my name is Tom Thompson, and
21 I'm a citizen of Oxnard, and I thank you for this
22 opportunity. My first comment is I'm against this very
23 much, against bringing it to Oxnard. Because my -- I don't
24 often think this way, but in this particular project I'd
25 have to say what's in it for Oxnard?

T003-23.2

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T003-24.1

Section 4.13.2.1 contains information on the franchise agreements that the City of Oxnard has with SoCalGas.

T003-23.2

COMMENTER
T003-24

T003-24.1

1 I hear people talk before the City Council, saying
2 we're going to get more natural gas in Oxnard, as if we're
3 going to get a little pipeline, special for Oxnard. Not the
4 case.

5 And if this wasn't a dangerous project, it
6 wouldn't have been thrown out of every other California town
7 that the companies have tried to bring it into.

8 It's a very definite potential terrorist threat
9 that's totally indefensible. And if you don't believe that,
10 remember the U.S.S. Cole, when one little tiny boat blew a
11 hole in a mighty U.S. warship that was prepared for such a
12 thing. So it can't be defended.

13 And I worked 29 years for the Navy, I don't care
14 what the Coast Guard says, I don't care what the Navy says,
15 one boat can blow it all to hell. Pardon me for using that
16 word, but it's a matter of fact.

17 And I also find it interesting that the most vocal
18 supporters of this particular project are from Ojai, Chula
19 Vista, Thousand Oaks. Mr. Lacayo, I respect him, but he's
20 from Thousand Oaks. I'd be all for this project if I lived
21 in Thousand Oaks, too. So I just find it very interesting
22 that the most -- the most vocal supporters don't live in
23 Oxnard, and I find it very arrogant of them to come and tell
24 us what's good for Oxnard. I mean, I agree it's good for
25 California, but it's not good for Oxnard.

T003-24.2

Section 4.2 and Appendix C contain additional and revised information on public safety.

T003-24.3

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T003-24.2

T003-24.3

1 Also, I'd wonder if the Chula Visa man, and the
2 gentleman from Alaska, whether they came here on their own
3 funds or were they paid to come here? I'd just like to know
4 that. I don't expect an answer.

5 We already have an immoral dependence on foreign
6 oil and, like a previous speaker said, now, we're going to
7 get ourselves wrapped around the axle with liquified natural
8 gas and have a foreign dependence on that, too. We're going
9 the wrong direction, folks. It's immoral, it's
10 unconscionable.

11 And as a former First Lady of this country said, I
12 would just urge you, just say no, and hit the road BHP.
13 You're a nice company, but we don't want you here in Oxnard.

14 Thank you very much.

15 (Applause.)

16 MODERATOR MICHAELSON: The next speaker is Bruce
17 Berwager.

18 MR. BERWAGER: Good afternoon, my name is
19 Bruce Berwager. I'm a resident of Santa Barbara,
20 California, and I paid for myself to come here today. Quite
21 a bit, I must add, at the price of energy these days.

22 With the preference being shown, over the last
23 several years, by government officials, industry, and even
24 environmental organizations for natural gas-fired power
25 generation, in preference of coal, nuclear, oil, and even in

T003-24.4

Section 1.2 discusses dependence on foreign energy sources.

T003-24.5

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T003-25.1

Thank you for the information.

T003-24.4

T003-24.5

COMMENTER
T003-25

T003-25.1

1 some cases, solar, it's vitally important to the economic
2 security of Southern California that we ensure an ample and
3 affordable supply of natural gas is available.

T003-25.1
(cont'd)

4 The availability of natural gas from domestic and
5 Canadian sources is dwindling, and if this supply is not
6 augmented by imported gas, Southern Californians can expect
7 to pay even increasing -- ever-increasing prices for
8 electricity and natural gas, which have increased in price
9 nearly fourfold over the last four or five years, as
10 domestic supplies get tighter.

11 BHP's Cabrillo Port LNG Terminal project is
12 economically vital to Southern California to ensure a steady
13 and affordable supply of natural gas, and retention and
14 creation of jobs in this area.

15 This project will help provide a significant
16 supply of clean-burning natural gas to Southern California
17 for power generation, for home heating, and cooking, and
18 manufacturing, and even clean transportation uses.

19 We cannot rely on Mexican LNG projects to ensure
20 our energy future, nor can we relinquish control over our
21 energy security to unstable Middle Eastern states.

22 The Cabrillo Port project will provide energy
23 security, a significant supply of affordable, clean-burning
24 natural gas, a boost to our local economy, and local jobs in
25 a safe and environmentally sensitive manner.

1 Experts from State and federal government,
 2 universities, and industry agree that this project, located
 3 15 to 20 miles from any inhabited area, will pose no threat
 4 to humans and will have very limited impact on the marine
 5 environment.

6 I support the draft EIR and the creation of one or
 7 more Southern California LNG receiving terminals.

8 Thank you.

9 MODERATOR MICHAELSON: The next speaker is
 10 Larry Yuva. And in order, the next speakers will be
 11 Nancy Lindholm, Irma Lopez, it looks like, I'm not sure,
 12 Verone -- Jerome Hopkins, Alan Sanders, and Jeri Andrews.

13 MR. YUVA: Thank you. I'm Larry Yuva, from Ojai,
 14 California. And with all due respect to the last gentleman
 15 from Santa Barbara, would you say the same if it was coming
 16 into Santa Barbara?

17 MR. BERWAGER: I would.

18 MR. YUVA: Okay. Otherwise, coming on the heels
 19 of California's energy crisis and the failed attempts to
 20 protect citizens of California from the contrived lack of
 21 energy here, I have a hard time believing that we really
 22 have an energy crisis here.

23 I also wonder what the BHP has to give back to
 24 this community? You want to come into this community, you
 25 want to, you know, use us as a Guinea Pig, what are you

T003-25.1
(cont'd)

T003-25.2

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T003-25.2

T003-26.1

Section 1.2.3 contains updated information on natural gas needs in California. Forecast information has been obtained from the California Energy Commission.

COMMENTER
T003-26

T003-26.2

Section 4.13.2.1 contains information on the franchise agreements that the City of Oxnard has with SoCalGas. As noted in Section 4.10.4, the Project would deliver an annual average of 800 million cubic feet (22.7 million m³) per day of natural gas to Southern California, and therefore within the context of the California Energy Action Plan, the Project would have a beneficial impact.

T003-26.1

T003-26.2

1 willing to give back to the community?

2 And thirdly, I'm wondering about when I read in
3 the EIS/EIR, there seems to be a big danger in the
4 odorization facility. As far as I understand, that's the
5 most dangerous part of the operation and, yet, it happens on
6 the shores next to Ormond, on Oxnard beaches. So I'm a
7 little bit concerned about them.

8 I support the propositions given by Lois Capps,
9 and I think there ought to be more time to consider this
10 proposition. I think there's a lot of holes in this EIR/EIS
11 proposition. Thank you.

12 MODERATOR MICHAELSON: The next speaker is Nancy
13 Lindholm.

14 MS. LINDHOLM: Good afternoon. I'm Nancy
15 Lindholm, I'm the President and CEO of the Oxnard Chamber of
16 Commerce.

17 The Oxnard Chamber of Commerce believes the
18 Cabrillo Port draft EIS/EIR documents, the proposed project,
19 poses no threat to public safety outside of the proposed
20 precautionary zone, and encourages the appropriate public
21 agencies to approve the study.

22 The Chamber also believes there is a substantial
23 need to increase supplies of natural gas to California and
24 encourages the development of such sources.

25 Thank you.

T003-26.3

T003-26.3

The Project has been modified since issuance of the October 2004 Draft EIS/EIR, and the main odorant station has been relocated to the FSRU with a smaller backup odorant facility onshore. Sections 2.4.1.3, 4.2.7, 4.7.4, 4.12, 4.18.4, 6.2.2, and 6.2.3 contain updated text on this topic.

T003-26.4

T003-26.4

All deepwater port applications fall under the authority of the Deepwater Port Act, which requires that a decision on the application be made within 330 days of the publication of the Notice of Application in the Federal Register. The Notice of Application for the Cabrillo Port Project was published in the Federal Register on January 27, 2004. Although the comment period (53 days) could not be extended at that time, a March 2006 Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Section 1.4.1 contains additional information on this topic.

COMMENTER
T003-27

Section 1.5 contains information on opportunities for public comment. After the MARAD final license hearing, the public will have 45 days to comment on the Final EIS/EIR and the license application. The Federal and State agencies will have an additional 45 days to provide comments to the MARAD Administrator. The Administrator must issue the Record of Decision within 90 days after the final license hearing. The CSLC will hold a hearing to certify the EIR and make the decision whether to grant a lease. The California Coastal Commission will also hold a hearing. Comments received will be evaluated before any final decision is made regarding the proposed Project.

T003-27.1

T003-27.1

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

1 MODERATOR MICHAELSON: The next speaker is Irma
2 Lopez.

3 MS. LOPEZ: I think it was you, Mr. Michaelson,
4 that stated that most Americans are afraid of public
5 speaking. I happen to be one of those, but this issue is
6 very important to the residents of this community, and to my
7 family.

8 My name is Irma Lopez. I'm a 30-year resident of
9 Oxnard and a lifelong resident of Ventura County. My
10 parents were both born in this County, members of my family
11 have resided in this County for over a hundred years. Many
12 members are currently living in eight of the ten cities that
13 comprise Ventura County.

14 Oxnard is the largest city in Ventura County and
15 the twentieth largest city in California, and it is now
16 being considered as a port of entry for liquified natural
17 gas, LNG.

18 I'm extremely concerned for my family's safety and
19 the safety of all of our residents.

20 In the weeks after the election, and before
21 tonight's hearing, we have been inundated with propaganda,
22 our mailboxes are filled with brochures, full-page
23 newspapers ads, and our ears assaulted with radio
24 announcements, in English and in Spanish. So-called
25 informational meetings, at luxurious locations, including

COMMENTS
T003-28

T003-28.1
Thank you for the information.

T003-28.2
Section 4.2 and Appendix C contain additional and revised
information on public safety.

T003-28.1

T003-28.2

1 the private Tower Club, were hosted by the developers.

2 The developers have donated money to several
3 nonprofits, including many Latino organizations, to curry
4 favor for their project.

5 It is well-known that Oxnard is a blue collar
6 community, comprised of many diverse communities, with the
7 majority of the city being minority.

8 For most of my adult life I have been involved in
9 many civil rights organizations. One of my main concerns
10 has been environmental justice. Communities with high
11 concentrations of people of color have historically been
12 targeted for located environmentally questionable practices,
13 such as landfills, airports, polluting heavy industry, and
14 freeways. We don't want to add LNG to that list.

15 Several years ago, the residents of Ojai, a small
16 community of approximately 8,000 residents, many of whom are
17 well off, were able to stop a landfill in Weldon Canyon.
18 Yet, the county landfill in our city, which was located next
19 to many homes, and over an aquifer, was extended beyond the
20 long-established closure date.

21 I applaud the residents of Ojai, but many of our
22 residents in Oxnard toil in the agricultural fields, from
23 daybreak to sundown, to put food on their, and on our
24 tables, and do not have the time or energy left to defend
25 their interests.

T003-28.3

Sections 4.19.1 and 4.19.4 contain information on potential Project impacts on minority and low-income communities and mitigation measures to address such impacts.

T003-28.3

1 I have several newspaper articles that address the
2 issue of safety, that have happened locally, and I'm sure
3 all of you are aware of that.

4 You know, our ports have been called enormous
5 targets for terrorism. The Coast Guard is not sure how they
6 can defend them. We have a deep seaport here, we have two
7 Naval bases.

8 I think, since September 11, we live in a
9 different world. Accidents do happen, terrorism does happen
10 on our land, here. Oxnard could be no exception.

11 I hope that with any data open to interpretation,
12 you will err on the side of caution.

13 Thank you very much.

14 (Applause.)

15 MODERATOR MICHAELSON: The next speaker is Jerome
16 Hopkins.

17 MR. HOPKINS: Good afternoon, I'm Jerome Hopkins,
18 a 44-year resident of Oxnard.

19 I oppose Cabrillo Port. With two Navy bases, plus
20 the biggest harbor between San Francisco and L.A., I don't
21 think this is a suitable place for Cabrillo Port. I believe
22 that it's a prime target for a terrorist attack.

23 Terrorists aren't interested in Japan these days,
24 they're after us.

25 How much -- how much will the necessary security

T003-28.4

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T003-28.4

T003-28.5

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T003-29.1

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project. Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on this topic.

T003-28.5

T003-29.2

Section 4.2.5 contains information on liability in case of an accident, the Applicant's insurance coverage, cost recovery for incidents, and reimbursement for local agencies.

COMMENTER
T003-29

T003-29.1

T003-29-2

1 against a terrorist attack cost us? Will the taxpayers pay
 2 for it or will it be passed on to us, the increased cost of
 3 natural gas? Also, how much will it affect the operations
 4 of the harbor and the Pacific Missile Range?

T003-29-2
(cont'd)

5 This natural gas project is a prime example of
 6 increasingly cumbersome, costly process that's being used to
 7 maintain our fossil fuel addiction. I don't believe that
 8 solar power has been explored anywhere near its fullest.

T003-29.3

9 And as far as biomass goes, it hasn't even got
 10 started, the ideological idiocy against the use of hemp.
 11 Maybe our present administration, they won't be -- socially
 12 tolerant might be the right -- so we might be at the right
 13 time to get this biomass thing underway.

14 Also, I'm concerned that the earthquake days
 15 are -- an excellent article in this morning's paper
 16 mentioned that an earthquake would snap the pipelines in two
 17 and really create a catastrophe.

T003-29.4

18 I thank you.

19 MODERATOR MICHAELSON: The next speaker is Alan
 20 Sanders.

21 MR. SANDERS: Hi, I'm Alan Sanders. I'm the
 22 Conservation Chair of the Sierra Club, Los Padres Chapter.

COMMENTER
T003-30

23 As I mentioned to you last evening, we have
 24 concluded the environmental report is inadequate and
 25 incomplete, and we hope that you will revise and recirculate

T003-29.5

T003-29.3

Section 4.3.4 discusses impacts associated with the increased vessel traffic due to the proposed Project. Impacts MT-5 and MT-6 in Section 4.3.4 contain information on this topic.

T003-29.4

Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

T003-29.5

Section 4.11 contains information on this topic.

T003-30.1

A Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Sections 1.4 and 1.5.3.2 contain additional information on this topic. The distribution list for the document is provided in Appendix A. In accordance with NEPA and the CEQA regulations, the lead Federal and State agencies have responded specifically to all comments, both oral and written, that concern the Project's environmental issues received during public comment periods. All comments and responses are included in this Final EIS/EIR.

1 the document.

2 And I understand that you're complying with the
3 provisions to have a 45-day review period for this document,
4 but it is a voluminous document, with very weighty issues
5 and, therefore, I would request that the applicant allow for
6 additional time for people to make comment on this.

7 I just had a discussion with one of my colleagues,
8 he'll probably speak to you this evening, who is probably
9 the preeminent citizen, scholar on air quality issues in
10 Ventura County, and he hasn't seen this document. A lot of
11 people here haven't seen this document. And some people are
12 planning on reading it tonight, with coffee, and I think it
13 takes a little bit more than that.

14 I also work at Ormond Beach, I've worked at Ormond
15 Beach for 16 years, now. I'm a volunteer, who's
16 participated in trying to protect habitat area for
17 California Least Terns, Western Snowy Plovers, and other
18 sensitive species.

19 I know, in your review, you rely heavily on
20 information provided to you by the resource agencies, and
21 that's good, but they are not the sole source of
22 information.

23 When I spoke to you during the scoping process,
24 actually several of your staff people rushed up to me
25 afterwards, and we exchanged cards, et cetera, but I haven't

T003-30.1
(cont'd)

T003-30.2

T003-30.3

T003-30.2

Section 1.5 contains information on the public review and comment opportunities provided by the lead agencies in full conformance with the provisions of the law. Both the CSLC and MARAD/USCG have met or exceeded the public notice requirements for this Project (see Sections 1.5.1 and 1.5.3).

T003-30.3

Subsequent to the completion of the October 2004 Draft EIS/EIR, the Applicant completed surveys of the pipeline rights-of-way in accordance with California Department of Fish and Game protocol. Surveys included wildlife surveys for Federal and State listed species, a wintering waterfowl survey, and a burrowing owl survey. Section 4.8 has been updated with the results of these surveys, and Section 4.8.4 contains updated mitigation measures. Additional preconstruction wildlife surveys, specific to the final construction timeline and designated pipeline alignment, would be completed for special status species, federally listed species, or California protected species specified by the USFWS or the CDFG, to minimize the potential for causing mortality of local wildlife. However, for purposes of the impact analyses and resultant mitigation, all relevant species are presumed to exist in the vicinity of the proposed Project.

Project impacts on coastal ecosystems would be limited to the pipeline corridor during construction and operation (see Section 2.1). The shore crossing required for the proposed Project would be installed beneath Ormond Beach. With the proposed mitigation, the potential impacts of construction, operation, or an accident on terrestrial biological resources would be reduced to a level that is below the significance criteria.

Updated information about the restoration efforts at Ormond Beach is included in Section 4.13.2.

1 heard from them since then.

2 So what you have is probably valuable, but it
3 isn't everything.

4 Let me tell you, right now we have a problem at
5 Ormond. California Least Terns have abandoned their nest
6 site. And none of the agencies did anything to prevent that
7 from occurring, nor have they done anything since.

8 So while you may be dealing with potential
9 violations of the law by consulting with these agencies,
10 you're not dealing with the CEQA standard on what are
11 significant impacts to the environment, and I'm sure you can
12 do a better job of putting that information together.

13 Thank you.

14 MODERATOR MICHAELSON: Thank you.

15 Our last speaker is Jeri Andrews.

16 MS. ANDREWS: I'm Jeri Andrews, from Thousand
17 Oaks, California.

18 I believe that the draft EIR is not fully candid
19 in its assessments of risks. Particularly, I would like to
20 call your attention to risk vis-a-vis the incidents
21 involving release from LNG carriers. I think it was very
22 lightly done in the EIR.

23 I would like to direct your attention to a report
24 that was referenced earlier, but I think it's really, really
25 important. And this is the federal -- the report to the

T003-30.3
(cont'd)

T003-31.1

Section 4.2 and Appendix C contain additional and revised information on public safety.

T003-31.2

Table 4.2-2 identifies hazards and threats considered in the public safety analysis, including fire or explosion on an LNG carrier and collisions involving an LNG carrier. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. Section 4.2.3 states, "[t]he LNG carriers would use routes that are farther from shore than the FSRU and therefore farther away than the FSRU from most recreational boating and fishing areas and the vessel traffic lanes. As such, LNG carriers would not present risks or hazards to the general onshore public while in transit to the FSRU."

The Project is regulated by the USCG and MARAD under the authority of the Deepwater Port Act. FERC's regulations are prescriptive and standardized to address the general siting of onshore LNG terminals. In contrast, due to various different designs of deepwater ports, the USCG conducts site-specific independent risk and consequence analyses using the most recent guidance and modeling techniques. The guidance used for Cabrillo Port is Sandia National Laboratories' "Guidance on Risk Analysis and Safety Implications of a Large Liquefied Natural Gas (LNG) Spill Over Water." This report recommends a framework for analyses of large LNG spills onto water. It was prepared for the U.S. Department of Energy (DOE), and an external peer review panel evaluated the analyses, conclusions, and recommendations presented.

COMMENTER
T003-31

T003-31.1

T003-31.2

1 Federal Energy Regulatory Commission, dated FERC-04, 40196.
 2 And to wit, two of the very important things are they feel
 3 that no released models are available that take into account
 4 the true structure of LNG carriers.

5 This is interesting, this was to a federal agency
 6 that, perhaps, some of you may work with.

7 Secondly, they feel that there is relatively few
 8 experimental data that are available for validation of
 9 models involving LNG spills on water, and there is no,
 10 underline no, data available for spills as large as the
 11 spills considered in this study. I think this is terribly,
 12 terribly important.

13 I have a second observation from the EIR. It
 14 appears, from my reading, that the applicant has a lease
 15 in -- maybe lease is not the word, but has perpetual rights
 16 to extend this project for as long as they want.

17 Now, if they don't perform, who do we appeal to?
 18 If they don't perform? You know, this is a real question.

19 And within that same thing is the liability. You
 20 know, if something goes wrong, who pays? Us? Who?

21 And the third thing, I would like to echo the
 22 person that came earlier, would you please, please, extend
 23 the comment period for this EIR.

24 Thank you.

25 (Applause.)

T003-31.2
(cont'd)

T003-31.3

T003-31.4

T003-31.5

T003-31.6

T003-31.3

To date, there has never been a large spill of LNG to water. Conducting a large LNG spill to validate the models would result in adverse environmental consequences. However, models are commonly validated using experimental data. Section 2.3.4.2 of Appendix C1 contains information on tests executed by the U.S. Department of Energy and the calibration/verification of the Fire Dynamics Simulator model used in the Independent Risk Assessment. Appendix C1 provides additional information on this topic, and Appendix C2, prepared by the U.S. Department of Energy's Sandia National Laboratories, contains information on the review and assessment of the models used.

T003-31.4

The projected FSRU in-service life is a maximum of 40 years. Environmental conditions and specific impacts 40 years from now are not reasonably foreseeable. As noted in Section 2.8, supplemental NEPA/CEQA documentation, which would take into consideration the environmental conditions at the time, would be required prior to the decommissioning of the FSRU. Also as noted in Section 2.8, as part of the license approval, the DWPA requires each applicant to furnish a bond or demonstrate other proof that if the project is abandoned then sufficient monies would be available for either completion or demolition of the project.

T003-31.5

As discussed in Section 1.1, the USCG and MARAD and the CSLC would be responsible for ensuring that the proposed Project is operated in compliance with the terms and conditions of the license and lease, respectively. Section 4.2.5 contains information on financial responsibilities in the event of an incident.

T003-31.6

All deepwater port applications fall under the authority of the Deepwater Port Act, which requires that a decision on the application be made within 330 days of the publication of the Notice of Application in the Federal Register. The Notice of Application for the Cabrillo Port Project was published in the Federal Register on January 27, 2004. Although the comment period (53 days) could

not be extended at that time, a March 2006 Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Section 1.4.1 contains additional information on this topic.

Section 1.5 contains information on opportunities for public comment. After the MARAD final license hearing, the public will have 45 days to comment on the Final EIS/EIR and the license application. The Federal and State agencies will have an additional 45 days to provide comments to the MARAD Administrator. The Administrator must issue the Record of Decision within 90 days after the final license hearing. The CSLC will hold a hearing to certify the EIR and make the decision whether to grant a lease. The California Coastal Commission will also hold a hearing. Comments received will be evaluated before any final decision is made regarding the proposed Project.

1 MODERATOR MICHAELSON: Okay, thank you.

2 That exhausts the list of speakers that I have,
3 Mr. Prescott.

4 MR. PRESCOTT: Are there any other speakers at
5 this time? We will have an opportunity this afternoon.

6 I would just like to comment that this has been
7 a -- I'm sorry, is there any other speaker before --

8 MR. FORREST: I'm Patrick Forrest, and I live at
9 the beach, Hollywood Beach, and I would like to support
10 Congresswoman Capp's extension. Thank you.

11 MODERATOR MICHAELSON: Could you spell your name
12 for the court reporter?

13 MR. FORREST: F-o-r-r-e-s-t.

14 MODERATOR MICHAELSON: And your first name?

15 MR. FORREST: Patrick.

16 MODERATOR MICHAELSON: Thank you.

17 MS. CONNER: My name is Molly Conner. There may
18 have been another card.

19 I'm a lifetime resident of Oxnard, and I am
20 opposed to the LNG project. I've been a teacher in the
21 Oxnard School District for over 35 years and just retired,
22 and I feel that I speak for the children of Oxnard, who
23 can't be here, or are working, now.

24 I just returned from visiting my daughter, in New
25 Jersey, and I was so glad to come back to these beautiful

T003-32.1

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COMMENTER
T003-32

T003-32.1

Section 1.5 contains information on opportunities for public comment. After the MARAD final license hearing, the public will have 45 days to comment on the Final EIS/EIR and the license application. The Federal and State agencies will have an additional 45 days to provide comments to the MARAD Administrator. The Administrator must issue the Record of Decision within 90 days after the final license hearing. The CSLC will hold a hearing to certify the EIR and make the decision whether to grant a lease. The California Coastal Commission will also hold a hearing. Comments received will be evaluated before any final decision is made regarding the proposed Project.

T003-33.1

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTER
T003-33

T003-33.1

1 islands, the ocean, the mountains, and once-orchards which,
2 by the way, my father was a lemon orchard manager in. We
3 don't see those anymore.

4 And if we're fooling ourselves that we're doing
5 the LNG thing to provide more orchards, well, I'm sorry, but
6 that's on the way out.

7 I think we need to protect what we have here, our
8 environment, Ormond Beach, the islands. I think we've
9 forgotten about Chernoble, the Valdez oil spill, Three-Mile
10 Island, and just recently near Philadelphia, in
11 Philadelphia, the oil spill.

12 I think we need more time to consider all these
13 safety factors. I think we need to go with Lois Capps and
14 really look into this. And you know what, I don't think
15 we've done a really great job here. It's taken millions of
16 years to produce what we have here, around us. It takes,
17 what, ten minutes to destroy something? I think we really
18 need to think about this.

19 MR. PRESCOTT: Thank you. I think at this time
20 we're going to adjourn. I want to inform everybody there
21 will be an open house from 4:00 to 6:00 p.m. That is a good
22 opportunity to ask some questions.

23 We weren't going to address any questions while we
24 were up here, but you can ask those at that time.

25 I would also just say that I thought the comments,

T003-33.1
(cont'd)

T003-33.2

Section 4.2 and Appendix C contain additional and revised
information on public safety.

T003-33.2

1 and the treatment of commentors was by and large very polite
2 on the part of everyone, and we certainly appreciate that.

3 At this time, we've gone a little over what we had
4 said, and we're going to close this meeting. And we will
5 have, as I said, the open house from 4:00 until 6:00, and
6 then we'll have another meeting this evening, from 6:30 to
7 9:30. Thank you.

8 (Thereupon, the November 30th
9 meeting and public hearing
10 concerning the Cabrillo Port
11 Liquefied Natural Gas Deepwater
12 Port, was adjourned at 3:00 p.m.)

13 --oOo--

14 * * * * *

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CERTIFICATE OF REPORTER

I, RONALD J. PETERS, a Certified Shorthand Reporter, do hereby certify:

That I am a disinterested person herein; that the foregoing U.S. Department of Homeland Security, U.S. Department of Transportation, and California State Lands Commission public hearing on the Cabrillo Port Liquefied Natural Gas Deepwater Port was recorded by my staff, thereafter transcribed into typewriting, and personally proofread by me.

I further certify that I am not of counsel or attorney for any of the parties in this matter, nor in any way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of December, 2004.

Ronald J. Peters

Certified Shorthand Reporter

License Number 2780

Certified Manager of Reporting Services

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